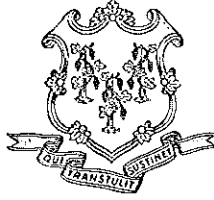


# State of Connecticut

## GENERAL ASSEMBLY



PLANNING AND  
DEVELOPMENT COMMITTEE  
ROOM 2100  
LEGISLATIVE OFFICE BUILDING  
HARTFORD, CONNECTICUT 06106-1591  
(860) 240-0550

### Continuing Legislative Committee on State Planning and Development

#### AGENDA

Thursday, July 10, 2008

1:30 P.M. in Room 2B of the Legislative Office Building

#### I. CONVENE MEETING

#### II. REMARKS BY THE CHAIRS

#### III. ISSUES FOR COMMITTEE REVIEW

- a. Town of Colchester (requested change to the Conservation & Development Policies Plan for Connecticut 2005–2010 as it pertains to the Town of Colchester)
- b. Linda and Steven Botti (requested change to the Conservation & Development Policies Plan for Connecticut 2005–2010 as it pertains to the Town of Manchester)
- c. Norwichtown Development, LLC (requested change to the Conservation & Development Policies Plan for Connecticut 2005–2010 as it pertains to the City of Norwich)
- d. Town of South Windsor (requested change to the Conservation & Development Policies Plan for Connecticut 2005–2010 as it pertains to the Town of South Windsor)
- e. Landel Realty, LLC (requested change to the Conservation & Development Policies Plan for Connecticut 2005–2010 as it pertains to the Town of Waterford)

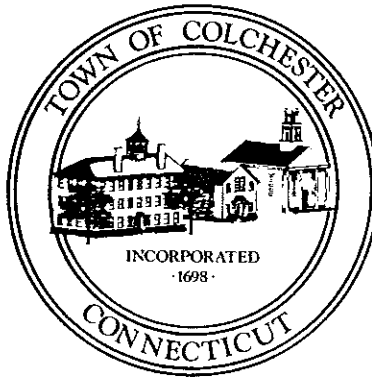
#### IV. ADJOURNMENT

Meeting materials may be found at [www.cga.ct.gov/pd/spd/proposedchanges.asp](http://www.cga.ct.gov/pd/spd/proposedchanges.asp).

Should you have any questions regarding this agenda, please contact

Ben Daigle, Committee Clerk, at (860) 240-0550.

**Code Administration**  
Building Official  
Fire Marshal  
Wetlands Enforcement



**Planning and Zoning**  
Planning Director  
Zoning Enforcement  
Town Engineer

## **Statement of Adam Turner Town of Colchester CT**

I am the Town Planner of Colchester and respectfully request a change to the Locational Guidemap for the Conservation and Development Policies Plan from the current designation of existing preserved open space to growth area for the parcels identified in this submittal.

The properties in question are several parcels adjacent to an entrance/exit ramp for State Road 11 including one that is State owned. The state owned parcel was almost totally excavated for materials that were used for the construction of State Road 11 and is heavily sloped downward away from State Rd 11. The state owned property has little or no environmental value in itself and is inaccessible to the public as it has no access.

The other five parcels are privately owned and not developed except for one housing unit. The properties contain some wetland areas in amounts and character similar to most Colchester property.

We make this request based on the Towns Plan of Conservation and Development, the Goals and Policies of the State Plan of Conservation and Development and the nature of the properties generally.

Consistent with smart growth policies, Colchester has focused expected new growth to the areas adjacent to major roadways and infrastructure. The Towns Plan of Conservation and Development and Zoning Map identify future development areas to the south of the existing downtown along State roadways Rt 2, 11, and 85 and Norwich and Lebanon Ave. In addition town sewer and water expansion is projected to serve only these locations over the next 15 years. These parcels requested for State re-designation on the Locational Guidemap for the Conservation and Development Policies Plan are included in Towns future development area and were rezoned to reflect their development potential.

The town's development strategy of focusing new development into appropriate areas adjacent to major roadways and existing infrastructure also preserves and protect other lands from intensive development. Colchester has been very active in agriculture enhancement/preservation

as well as acquisition of open space and conservation lands. Indeed the community character of Colchester directly relates to the natural environment

This local development strategy is consistent with State Growth Management policies which encourage:

- Develop regional centers with existing and/or planned infrastructure
- Expand Housing Opportunities and Design Choices to accommodate a variety of Types and Needs
- Concentrate Development Along Transportation Nodes
- Conserve and Restore the Natural Environment

In addition, the town is adopting mixed use development regulations for these areas which provide affordable housing and diverse housing opportunities. Finally the parcels in question are adjacent to other parcels designated for growth area in the State Plan.

We respectfully request that the parcels be designated for growth area so that they are consistent with the town's plans and can be fully integrated. There is no sprawl in our plans and we point out that this growth strategy is designed to channel growth along infrastructure and roads and protect the vast majority of lands in Colchester. While we are consistent with the State Plan in terms of policy we wish to achieve mapping consistency as well. We hope you will support our efforts to execute our growth management approach.

I and my staff thank you for your consideration and we remain open to answer questions and provide additional information.



**State of Connecticut**  
**HOUSE OF REPRESENTATIVES**  
STATE CAPITOL  
HARTFORD, CONNECTICUT 06106-1591

**REPRESENTATIVE BILL AMAN**  
FOURTEENTH DISTRICT

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**RANKING MEMBER**  
LABOR COMMITTEE

**MEMBER**  
GENERAL LAW COMMITTEE  
JUDICIARY COMMITTEE  
PLANNING & DEVELOPMENT COMMITTEE

July 10, 2008

Dear Senator Coleman, Representative Feltman, Senator Fasano, Representative Miner and Members of the Continuing Legislative Committee on State Planning and Development,

At the July 10 meeting of the Continuing Legislative Committee on State Planning and Development, I urge you to support all of South Windsor's requested changes. The Town has had detailed zoning maps since the 1930s and a formal, lengthy plan of development since at least the 1960s. The Town has carefully followed these plans for the past 50 years.


The residential projects that were not approved by OPM were built using the Smart Growth principles that the Planning and Development Committee discussed at length last year. The Town, in exchange for allowing higher density, received open-space land at no cost to the taxpayer. This higher density naturally required the homes to be served by sanitary sewers.

The 200-foot sewer buffer area of the 2002 waste water facility plan is a very arbitrary number that I feel was established in order to allow the South Windsor Water Pollution Control Commission to have complete control over sewer development. The South Windsor sewer plant was designed and built with the capacity to handle all future town sewer requirements, including the undeveloped residential and commercially-zoned areas. All sewer extensions have been paid for by private developers. I could find no information explaining this buffer area, which creates the following questions: Does the entire new building have to be within this 200-foot area or only the bathrooms? Does this allow a private developer to use laterals to reach the 200-foot buffer? Are the buildings that existed prior to the 2002 facilities requirement in violation of the plans? These are the reasons I feel that the 200-foot buffer area was only intended to be a general guideline.

The area of Site A that has not been approved for development includes the clay pits that supply the raw material for the brickyard. This factory has been operating for over 200 years because of the abundance of quality clay. Past clay pit expansions were required to keep the plant open. Once the Town says digging is no longer allowed, the plant will have to close for lack of raw material. This brickyard is one of the most environmentally-friendly and energy-efficient brick production facilities in the country.

In summary, South Windsor has had a plan of development for much longer than the State of Connecticut and has followed it very carefully. Please approve all the requested changes. Thank you for your consideration.

Sincerely,

  
Bill Aman

cc: Ben Daigle, Clerk



## *Town of South Windsor*

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074  
TELEPHONE (860) 644-2511

### **TOWN OF SOUTH WINDSOR REQUEST FOR INTERIM REVISIONS TO STATE CONSERVATION & DEVELOPMENT POLICIES PLAN**

1. How did the State Plan become a site-specific zoning map in the first place?
2. Catch-22's:
  1. Sewer Service Area plans (DEP approval) **must** conform to OPM's State plan locational **guide** map. OPM recommends denial of State plan revisions because requested revisions do not conform with the Sewer Service Area plan. (Irony that State statutes mandate that municipalities update local Plan of Conservation & Development at least every 10 years, yet State agencies seem to be saying that municipalities cannot update their local sewer service area plan.)
  2. State plan shows areas to be preserved because of the wetlands data layer. OPM says if DEP changes wetlands data layer, OPM will change State map. DEP gets wetlands data layer from Natural Resources Conservation Service. Assistant State Soil Scientist Shawn McVey says NRCS will not update the soil survey on an interim basis and will not change areas less than 3 acres. Previous soil survey was in use in Hartford County for 35 years before being updated.
3. For past development not in conformance w/State plan, what are your expectations:
  - Tear down buildings? Disconnect sewers, install septic systems? Accept that South Windsor will never receive any further State funding for projects?
4. Now that we are seeing the actual impacts of using the State plan as a zoning map, how should local land use commissions handle development applications that don't conform w/State Plan?
  - Planning & Zoning commissions (PZC): should the Commission apply to OPM for map revisions for a development application that does not conform to State Plan? What circumstances constitute a "good" reason to update the State Plan?
  - Does PZC deny a development application if it conforms to local zoning regulations even though the courts have repeatedly said that's illegal?
  - Is South Windsor expected to rezone industrial and commercial (I/C) areas, even where local zoning has in place 50+ years, properties built decades ago in conformance with our local zoning?
  - Does South Windsor stop using our existing sewers even though they were sized & constructed to handle development, and funded with federal & state \$\$ 40 years ago?
  - Does the Town mandate large I/C development on septic systems even with public sewers in the street along the property frontage?
  - Should we subdivide with conventional lots on septic systems, eat up the land and preserve a maximum of 20%, rather than preserving 50% of the land—seems to be complete opposite of smart growth principles?
  - What about Inland Wetlands Agency development applications? South Windsor requires soil scientist certification of wetlands, and the result is always different from the data layer used in your map. NRCS won't revise their wetlands data layer on an interim basis.